

**218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-18105-2018

Date of decision-11.04.2019

M/s Nahar Industrial Enterprises Ltd.

...Petitioner

Vs.

Union of India and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anand Chhiber, Sr. Advocate assisted by
Mr. Aalok Jagga, Advocate
for the petitioner(s).

Mr. Anil Chawla, Advocate
for respondent Nos.1 & 2.

None for respondent No.3.

Ms. Madhu Dayal, Advocate
for respondent No.4.

Mr. Deepender Singh, Advocate
for respondent No.5.

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing respondent Nos.1, 2 & 5 to release the pending interest subsidy in a time bound manner to the account of the petitioner under the “Technology Upgradation Fund Scheme (TUFS) Annexure P-1 along with interest as is being charged by respondent No.4 to which the petitioner is duly eligible but is stated to be pending only on account of the fact that respondent No.5 has yet not submitted the evaluation and assessment report.

Learned counsel for the petitioner states that at this stage, he would be satisfied, if a direction is issued to respondent Nos.1 & 2 to take a final view in the matter, expeditiously.

During the pendency of the petition, respondent No.5-M/s NABARD Consultancy Services (NABCONS) has sent the report to respondent No.2.

Learned counsel for respondent No.5 has circulated the photocopy of the forwarding letter dated 18.03.2019/25.03.2019 addressed to the petitioner-company i.e. The Proprietor, Nahar Industrial Enterprises Ltd, which is taken on record as Mark 'A'.

In view of the above, respondent Nos.1 and 2 are directed to take a final view in the matter keeping in view the evaluation report submitted by respondent No.5. Needful be done preferably within three months from the receipt of certified copy of this order. In case, the petitioner is found to be entitled to the claim made in the petition, the necessary relief be allowed to the petitioner without further delay. However, in case the competent authority feels that the request made by the petitioner is not admissible, in that case, a speaking order be passed in the matter.

11.04.2019

ps-I

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No